

**INITIAL STATEMENT OF REASONS  
FOR  
PROPOSED BUILDING STANDARDS  
OF THE  
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
REGARDING THE 2007 CALIFORNIA BUILDING CODE (CBC)  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2  
(CHAPTER 11A HOUSING ACCESSIBILITY)**

---

The Administrative Procedure Act requires an Initial Statement of Reasons to be available to the public upon request when rulemaking action is being undertaken. The following are the reasons for proposing this particular rulemaking action:

**STATEMENT OF SPECIFIC PURPOSE AND RATIONALE:**

(Government Code Section 11346.2 requires a statement of specific purpose of **EACH** adoption, amendment or repeal and the rationale of the determination by the agency that EACH adoption, amendment or repeal is reasonably necessary to carry out the purpose for which it is proposed.

- When repealing adopted California original standards, summarize the effect of the standards and explain why the standard is no longer necessary
- When amending a standard, explain the standard proposed to be modified, explain the effect of the proposed modification, explain the inadequacy of the standards being modified, and explain why the proposed amendment is necessary)

**1) The Public Problem, Administrative Requirement, or Other Circumstance Addressed.**

**Administrative Requirement:** Health and Safety Code Section 17921 directs the Department of Housing and Community Development (HCD) to propose adoption, amendment or repeal of building standards for the protection of public health, safety and general welfare. Government Code Section 12955.1 provides direction for HCD to propose adoption of building standards necessary to prohibit discrimination in the design and construction of all housing other than publicly funded housing.

**2) Specific Purpose**

HCD has determined the amendment of the 2007 California Building Code (CBC) is needed pursuant to the requirements of Health and Safety Code Section 17921 and Government Code Section 12955.1.

**The specific purpose** of these regulations is to amend the 2007 CBC, as indicated on the attached matrix table, into Part 2, Title 24, CCR for the following programs:

- a) **State Housing Law:** 1. relative to residential occupancies, buildings or structures accessory thereto and as provided in Health and Safety Code Section 17921; 2. relative to California Fair Employment and Housing accessibility requirements as provided in Government Code Section 12955.1, except where the application is for public use only.
- b) **Employee Housing Act:** relative to any building or structure or outdoors on premises or property in accordance with Health and Safety Code Section 17040.
- c) **Mobilehome Parks or Special Occupancy Parks:** relative to the use of building systems in or on any permanent buildings, accessory buildings, and structures under the ownership and control of the park operator within the park in accordance with Health and Safety Code Section 18300 for mobilehome parks, and Sections 18865 and 18873 for special occupancy parks.
- d) **Factory-Built Housing Law:** relative to residential buildings, dwellings or portions thereof, or building components, or manufactured assemblies in accordance with Health and Safety Code Section 19990.

**3) Rationale for Necessity**

The 2007 CBC, based on the 2006 edition of the International Building Code (IBC) published by the International Code Council (ICC), becomes effective on January 1, 2008. HCD has developed amendments to the 2007 CBC to

implement, interpret, and make specific provisions of state and federal law and/or to incorporate provisions that benefit the health, safety and general welfare of the people of California.

**It is necessary to propose the amendment** of some sections of the 2007 CBC to incorporate state and federal laws and regulations, provide clarity to the user, include revised accessibility language and update structural building provisions based on current nationally recognized standards and engineering principles.

**It is necessary to not propose the adoption** of some sections of the 2007 CBC because they would conflict with amendments which are proposed in this rulemaking.

**It is necessary to propose the amendment** of certain previously existing state amendments including:

- Renumbering sections in order to fit appropriately into the newly adopted text of the 2007 edition of the CBC.
- Revising and reorganizing Chapter 11A language for clarification and compliance with state and federal law.

#### **Specific Proposed Regulatory Actions:**

**Accessibility:** In January 2002, HCD formed a focus group to improve the accessibility regulations for residential occupancies in California. This group of HCD's stakeholders included consumers, builders, consultants, enforcement agencies, representatives from organizations representing persons with disabilities, and state agencies.

Three phases were developed as follows: Phase I – address reorganization of Chapter 11A; Phase II – rewrite Chapter 11A for clarity; and Phase III – incorporate agreed upon changes into Chapter 11A.

Phases I and II were completed and became effective on May 2, 2007. Phase III is in progress and this rulemaking reflects the initial work of the focus group and HCD.

During the Phase III process, HCD held three meetings to obtain stakeholder input and distributed a draft of the proposed Initial Statement of Reasons and Express Terms to the focus group for comment prior to submittal of the rulemaking package. As a result of this process, HCD is proposing adoption of the following state amendments to the 2007 CBC.

### **CHAPTER 11A — HOUSING ACCESSIBILITY**

**Division I – APPLICATION, GENERAL PROVISIONS AND DEFINITIONS (SECTIONS: 1101A, 1102A, 1103A, 1104A, 1105A, 1107A)**

**Division II – EXTERIOR FACILITIES (SECTIONS: 1109A, 1112A, 1114A, 1115A)**

**Division III – BUILDING FEATURES (SECTIONS: 1122A, 1123A, 1124A)**

**Division IV – DWELLING UNIT FEATURES (SECTIONS: 1132A, 1134A)**

**Division V – FEATURES COMMON TO EXTERIOR AND INTERIOR BUILDINGS (SECTION: 1143A)**

**Division VI – SITE IMPRACTICALITY TESTS (SECTION: 1150A)**

**Division VII – FIGURES (FIGURES 11A-8J, 11A-8K, 11A-9L, 11A-9M)**

**SECTIONS: 1101A.1, 1102A.3.2, 1103A.1.1, 1104A, 1105A, 1105A.1, 1107A.2, 1107A.20, 1109A.2, 1109A.2.1, 1109A.8.8, 1112A.9, 1114A.2, 1114A.6.1, 1114A.6.2.4, 1115A, 1115A.1, 1115A.2, 1115A.5, 1115A.6.2.4, 1122A.5.2.4, 1123A.1, 1123A.2, 1123A.5, 1123A.6.2.3, 1123A.6.2.4, 1124A.3.3.2, 1124A.3.3.3, 1124A.3.3.4, 1124A.4, 1132A.2, 1132A.4, 1132A.5.1, 1134A.2, 1134A.6, 1134A.7, 1143A.1, 1150A.1, Figures 11A-8J, 11A-8K, 11A-9L, 11A-9M**

HCD proposes to continue the adoption of the entire 2007 CBC, Chapter 11A, with amendments as indicated above. The rationale for each amendment is listed below.

### **SECTION 1101A — APPLICATION**

#### **SECTION: 1101A.1 Scope**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The change is for consistency with the Federal Fair Housing Amendments Act (FHAA), page 11, and to clarify that a new building, when constructed as multifamily dwelling units behind an existing façade, is covered. The change provides clarity for the code user.

## **SECTION 1102A — BUILDING ACCESSIBILITY**

### **SECTION: 1102A.3.2 Multistory dwelling units in buildings with one or more elevators**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The term “townhouse” is defined in Chapter 2 of the 2006 IBC (model code) as “A single-family dwelling unit constructed in a group of three or more attached units in which each unit extends from the foundation to roof and with open space on at least two sides”. Multistory dwelling units may not necessarily start at the foundation or extend to the roof. The units may start above a garage or commercial unit and only extend to the next unit above. The language in #1 in strikeout is redundant of the language in #2 and is therefore removed.

## **SECTION 1103A — DESIGN AND CONSTRUCTION**

### **SECTION: 1103A.1.1 General**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The change is a result of a comment received to reference state law that applies to senior citizen housing and a reference is provided to the enforcing agency (DFEH). The change provides clarity for the code user.

## **SECTION 1104A — COVERED MULTIFAMILY DWELLINGS**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. Occupancy classifications are listed in Chapter 3 of the 2007 CBC and are not relevant to accessibility standards. The section is renamed to provide clarity for the code user.

## **SECTION 1105A — GARAGES, CARPORTS AND PARKING FACILITIES**

### **SECTION: 1105A.1 General**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. Occupancy classifications are listed in Chapter 3 of the CBC and are not relevant to accessibility standards. Section 1105A itself is renamed to properly identify the type of buildings covered in this section and to provide clarity for the code user.

## **SECTION 1107A — DEFINITIONS**

### **SECTION: 1107A.2-B (Bathroom)**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The change is a result of a comment received. In the first sentence, the reference to “and/or a bathtub” is amended by adding a comma following (sink), and deleting the word “or” so the sentence correctly reads “, and a bathtub and/or a shower”. The change clarifies that a “bathroom”, by definition, must provide a bathtub, or a shower, or both a bathtub and a shower.

### **SECTION: 1107A.20-T (Toeboard)**

HCD proposes to repeal the above-listed California amendment. The term as defined is not used in Chapter 11A. The term is only used in Section 1133A.3 referring to the toeboard along the base of the cabinet; therefore, the definition is no longer necessary for HCD 1 A/C use.

### **SECTION: 1107A.20-T (Townhouse)**

HCD proposes to repeal the above-listed California amendment. The term as defined in the 2006 IBC (model code) is not applicable to accessibility standards. A reference has been added in Chapter 2 to “See Multistory Dwelling Units” which is the correct term and definition used in Chapter 11A. There are no substantive differences between the new amendment and the existing California amendment. The change provides clarity and consistency for the code user.

## **SECTION 1109A — PARKING FACILITIES**

### **SECTION: 1109A.2 Parking facilities**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. Section 1105A was changed in an earlier rulemaking to include all parking facilities and refers the user to this section; therefore the reference is not needed and has been repealed. There are no substantive differences from the existing California amendment. The change provides clarity for the code user.

### **SECTION: 1109A.2.1 Private garages**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. Language was clarified as to application, all garages accessory to multifamily dwellings must be accessible except private garages attached to and directly serving an individual multifamily unit. The exception was

modified to identify certain garage entrances that make the garage exempt from the provisions in Section 1109A. If the garage can be entered from the driveway via an accessible route and be exempt, then an accessible entry directly into the garage from the dwelling unit or through an accessible entry door via an accessible route would also be acceptable. There is no change in effect between the new amendment and the existing California amendment. The change provides clarity for the code user.

**SECTION: 1109A.8.8 Parking signage**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. This change clarifies that a “separate sign” marked with “VAN ACCESSIBLE” language is no longer required. ICC/ANSI Section 502.7 allows the van accessible language to be on the same sign, and an interpretation from the Federal Department of Justice permits the language to be located on the same sign. There is no change in effect between the new amendment and the existing California amendment. The change provides consistency with other codes and clarity for the code user.

**SECTION 1112A — CURB RAMPS ON ACCESSIBLE ROUTES**

**SECTION: 1112A.9 Detectable warnings**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. This is an editorial change to identify the correct section in Chapter 11B. There is no change in effect from the previous reference.

**SECTION 1114A — EXTERIOR RAMPS AND LANDINGS ON ACCESSIBLE ROUTES**

**SECTION: 1114A.2 Slope**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. An exception is added to reference the newly adopted language in Section 1132A.4. The change is to clarify the exception for slope for patios, decks and balconies and to ensure consistency with other code sections.

**SECTION: 1114A.6.1 Where required**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The modification is consistent with Chapter 11B, Section 1133B.5.5.1 and was added in response to a focus group comment. ICC/ANSI A117.1 Section 405.8 allows this exception for ramps 6 inches or less in rise, but makes no reference to the length. The change brings consistency with other code sections and provides clarity for the code user.

**SECTION: 1114A.6.2.4 Handrail projections**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The modification is to clarify that the allowable distance between a handrail and the wall is not an exact distance. The minimum space is set at 1 ½ inches (38.1 mm) between wall and handrail. Handrails may be farther away from the wall provided the required clear width of the ramp is not reduced. This is consistent with Chapter 11B, Section 1133B.5.5.1 and ADAAG (4.8.5 #3) which states “...clear space between...” and ICC/ANSI A117.1, Section 505.5 which states “...shall be 1 ½ inches (38 mm) minimum.” In Section 1012.6 of the 2006 IBC “clear space between a handrail and a wall or other surface shall be a minimum of 1.5 inches.” This requirement is the same for both stairways and ramps as required in Section 1012.1. Additionally, in Section R311.5.6.2 of the IRC, “handrails adjacent to a wall shall have a space of not less than 1 ½ inch between the wall and the handrails.” The change brings consistency with other code sections and provides clarity for the code user.

**SECTION 1115A — EXTERIOR STAIRWAYS**

**SECTION: 1115A Exterior stairways**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The section heading is amended by deleting “Along Accessible Routes” to reflect the expanded scope of this section to include all exterior stairways serving buildings on sites which contain covered multifamily dwelling units. The change provides clarity for the code user.

**SECTION: 1115A.1 General**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The language was modified to include all exterior stairways serving buildings with covered multifamily dwelling units, even those units not on an accessible floor, because any exterior stairway could be an accessible route for the visually impaired. The change provides clarity for the code user.

**SECTION: 1115A.2 Open risers**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The Fair Housing Amendments Act references ANSI Section 504.3 which prohibits open risers (a hazard for the visually impaired) on accessible stairways. Any stairway serving buildings with covered multifamily dwelling units could be an accessible route for the visually impaired and open risers would not be permitted. However, gratings with openings of not more than ½ inch are allowed on an accessible route. Therefore, a ½ inch opening shall be allowed at the bottom of the riser or a grated riser with openings of not more than ½ inch shall be permitted for cleaning purposes.

**SECTION: 1115A.5 Striping for the visually impaired**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. This modification resulted from a focus group comment. Any stairway serving buildings with covered multifamily dwelling units, even those units not on an accessible floor, could be an accessible route for the visually impaired and should meet the striping requirements for accessible stairs. Stakeholder comments led to the added requirement that a maximum 1 inch (25.4 mm) gap separate the strip from the nose of a step or landing as a precautionary signal to the visually impaired. The section was divided into separate paragraphs to reflect the additional language and for ease of reading.

**SECTION: 1115A.6.2.4 Handrail projections**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The modification clarifies that the allowable distance between a handrail and the wall is not an exact distance. The minimum space is set at 1 ½ inches (38.1 mm) between wall and handrail. Handrails may be farther away from the wall provided the required clear width of the ramp is not reduced. This is consistent with Chapter 11B, Section 1133B.5.5.1 and ADAAG (4.8.5 #3) which states "...clear space between..." and ICC/ANSI A117.1, Section 505.5 which states "...shall be 1 ½ inches (38 mm) minimum." In Section 1012.6 of the 2006 IBC "clear space between a handrail and a wall or other surface shall be a minimum of 1.5 inches." This requirement is the same for both stairways and ramps as required in Section 1012.1. Additionally, in Section R311.5.6.2 of the IRC, "handrails adjacent to a wall shall have a space of not less than 1 ½ inch between the wall and the handrails." The change brings consistency with other code sections and provides clarity for the code user.

**SECTION 1122A — INTERIOR RAMPS AND LANDINGS ON ACCESSIBLE ROUTES****SECTION: 1122A.5.2.4 Handrail projections**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The modification is to clarify that the maximum distance between a handrail and the wall is not an exact distance. Handrails may be farther away from the wall provided the required clear width of the ramp is not reduced. This is consistent with Chapter 11B, Section 1133B.5.5.1 and ADAAG (4.8.5 #3) which states "...clear space between..." and ICC/ANSI A117.1, Section 505.5 which states "...shall be 1 ½ inches (38 mm) minimum." The change brings consistency with other code sections and provides clarity for the code user.

**SECTION 1123A — INTERIOR STAIRWAYS****SECTION: 1123A INTERIOR STAIRWAYS**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The section heading is amended by deleting "Along Accessible Routes" to reflect the expanded scope of this section to include all interior stairways serving buildings on sites which contain covered multifamily dwelling units. The change provides clarity for the code user.

**SECTION: 1123A.1 General**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The language was modified to include all interior stairways serving buildings with covered multifamily dwelling units, not only those on an accessible route.

**SECTION: 1123A.2 Open risers**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. This modification was made in response to a focus group comment. The Fair Housing Amendments Act references ANSI A117.1 standards which prohibit open risers on stairways on an accessible floor. The Section 1123A.2 language was modified to include all interior stairways serving buildings with covered multifamily dwelling units, even those units not on an accessible floor, because any interior stairway could be an accessible route for the visually impaired. The modification also exempts interior stairways located within an individual dwelling unit from this requirement. The change brings consistency with other code sections and provides clarity for the code user.

**SECTION: 1123A.5 Striping for the visually impaired**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. This modification resulted from a focus group comment. Any stairway serving a building with covered multifamily dwelling units, even those units not on an accessible floor, could be an accessible route for the visually impaired and should meet the striping requirements for accessible stairs. Stakeholder comments led to the added requirement that a maximum 1 inch (25.4 mm) gap separate the strip from the nose of a step or landing as a precautionary signal to the visually impaired. The modification also exempts interior stairways located within an individual dwelling unit from this requirement. The change brings consistency with other code sections and provides clarity for the code user.

**SECTION: 1123A.6.2.3 Handrail extension**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The modification is a result of a comment received to clarify that the handrail extension is not required within an individual dwelling unit. The change brings consistency with other code sections and provides clarity for the code user.

**SECTION: 1123A.6.2.4 Handrail projections**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The modification is a result of a comment received to clarify that the allowable distance between a handrail and the wall is not an exact distance. Handrails may be farther away from the wall provided the required clear width of the stairway is not reduced. This is consistent with Chapter 11B, Section 1133B.5.5.1 and ADAAG (4.8.5 #3) which states "...clear space between...", and ANSI A117.1, Section 505.5 which states "...shall be 1 ½ inches (38 mm) minimum." In Section 1012.6 of the 2006 IBC "clear space between a handrail and a wall or other surface shall be a minimum of 1.5 inches." This requirement is the same for both stairways and ramps as required in Section 1012.1. Additionally, in Section R311.5.6.2 of the IRC, "handrails adjacent to a wall shall have a space of not less than 1 ½ inch between the wall and the handrails." The change brings consistency with other code sections and provides clarity for the code user.

**SECTION 1124A — ELEVATORS AND SPECIAL ACCESS (WHEELCHAIR) LIFTS****SECTION: 1124A.3.3.2 Car control buttons**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. Language was modified for consistency with Chapter 11B, Section 1116B.1.9. A reference was added to direct the user to the new provisions in the correlating section. The change brings consistency with other code sections and provides clarity for the code user.

**SECTION: 1124A.3.3.3 Raised characters and pictorial symbol signs**

HCD proposes to adopt the above-listed California amendment into Title 24, Part 2, CBC. This new section was added for consistency with CBC Chapter 11B, Sections 1117B.5.5 and 1117B.5.6, to identify the correct characters and symbols to be used, and to provide clarity for the code user.

**SECTION: 1124A.3.3.4 Braille**

HCD proposes to adopt the above-listed California amendment into Title 24, Part 2, CBC. The new section was added for consistency with CBC Chapter 11B, Sections 1117B.5.5 and 1117B.5.6, to identify the correct style of Braille to be used, and to provide clarity for the code user.

**SECTION: 1124A.4 Hall call buttons**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The modification provides for consistency with CBC Chapter 11B, Section 1116B.1.10 which requires the "Up" direction button to be on top and internal illumination of hall call buttons. Sizing of the call operation buttons is also specified. The change provides clarity for the code user.

**SECTION 1132A — DOORS****SECTION: 1132A.2 Interior doors and secondary exterior doors**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modifications. The modification is to clarify that accessible garage doors as listed in Section 1109A.2.1 must comply with the accessibility requirements on both sides of the door. The change provides clarity for the code user.

**SECTION: 1132A.4 Level floor or landing**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. Language is added to clarify that the 4 inch maximum drop is an adaptable feature that must be traversed by a platform within ½ inch of the interior floor level or by means of a ramp. Also, a reference is added to identify the new illustration number for clarity. The modification is for consistency with the Fair Housing Amendments Act (FHAA), Page 4.13, and other provisions of code. Subsection 4 is added to allow an optional method of obtaining conformance based on FHAA, Page 4.12 which allows a 1 ¼ inch (31.8 mm) rise with a 1:2 ratio slope at an entrance door threshold. The actual ratio of 1:8 was derived from viewing the various threshold ramps currently available on the market. A reference is added directing the code user to Section 1114A.6 for handrail requirements at exterior doors. The change is consistent with the FHAA and provides clarity for the code user.

**SECTION: 1132A.5.1 General**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The section referred to was moved to Section 1132A.4 #4 as the result of an earlier rulemaking and immediately precedes this section. The “Note” reference is no longer necessary and is proposed for repeal. The change brings consistency with other code sections and provides clarity for the code user.

**SECTION 1134A — BATHING AND TOILET FACILITIES****SECTION: 1134A.2 Number of complying bathrooms**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. A new paragraph is added at the end of Option 2 to make it clear that when a dwelling unit contains two bathrooms and one bathroom has a bathtub and the second bathroom has a shower stall, both the bathtub and shower stall must comply with disabled access provisions within Chapter 11A. There has been significant misunderstanding among design professionals, developers and code enforcement agencies whether or not to make both fixtures comply. Based upon stakeholder comments, a note is added within the clarified scoping requirements of Option 2. The change brings consistency and provides clarity for the code user.

**SECTION: 1134A.6 Showers**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The modification is based on ICC/ANSI A117.1, Sections 608.2.1 through 608.2.3, ADAAG Section 4.21 and Chapter 11B, Section 1115B.6.2.1 requirements, which permit multiple shower sizes and provides designers optional means to meet accessible shower requirements. Portions of this section have been renumbered into subsections for user clarity and consistency with other code sections. The section departs from ANSI and ADAAG in that the minimum shower size of 36 inches by 36 inches (914 mm by 914 mm) is not allowed. Item 6 requirements have been modified.

HCD has attempted to establish a common ground between access needs of the disabled and the developer and design professional's concerns of preventing water damage. To encourage the continued use, design and inclusion of shower stalls within multifamily dwellings, the maximum allowable dam height permitted in an accessible shower shall be 2 inches (50.8 mm). The current California Plumbing Code (CPC) requires a minimum 2 inch (50.8 mm) and a maximum 9 inch (228.6 mm) finished threshold or dam. In effect, this creates an increase from current standards in the level of change (transition) for the mobility-impaired individual to enter the shower stall. The maximum 2 inch (50.8 mm) change of elevation at an accessible shower stall shall require a 1 unit vertical to 2 unit horizontal ratio of sloped angle. This provision addresses stakeholder comments/concerns regarding water damage while providing maximum utility for the greatest number of mobility-impaired individuals.

**SECTION: 1134A.7 Water closets**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The modification is based on FHAA, Page 7.43 and ADAAG Section 4.16.2 and Figure 28, which require a minimum 48 inches wide maneuvering space in a toilet compartment/space. ICC/ANSI A117.1, Section 1003.11 requires 60 inches minimum width and is consistent with the distance to the wall. An exception is added which identifies approved encroachments on that maneuvering space. The exception is consistent with an illustration provided in the Fair Housing Manual. The change achieves equivalency with federal guidelines and provides clarity for the code user.

**SECTION 1143A — SIGNAGE****SECTION: 1143A.1 General**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. This is a minor edit to remove the duplicated word “unit”. There is no change in effect between the new amendment and the existing California amendment, and the modification provides clarity for the code user.

## **SECTION 1150A — SITE IMPRACTICALITY TESTS**

### **SECTION: 1150A.1 General**

HCD proposes to continue the adoption of the above-listed California amendment into Title 24, Part 2, CBC, with modification. The referenced section number is for existing buildings and is modified to reference the correct section for new construction. The term "townhouse" is defined in Chapter 2 of the 2006 IBC (model code) as "A single-family dwelling unit constructed in a group of three or more attached units in which each unit extends from the foundation to roof and with open space on at least two sides." Multistory dwelling units may not necessarily start at the foundation or extend to the roof. The units may start above a garage or commercial occupancy and only extend to the next unit above. The term "multiple-story" is replaced with the correct term "multistory" for consistency with other code sections and for clarity for the code user.

**FIGURE 11A-8J "Platform at Secondary Exterior Door":** This illustration is added for clarity for the code user.

**FIGURE 11A-8K "Ramp at Secondary Exterior Door":** This illustration is added for clarity for the code user.

**FIGURE 11A-9L "Shower with Water Closet":** This illustration is added for clarity for the code user.

**FIGURE 11A-9M "Wing Wall or Cabinet at Water Closet":** This illustration is added for clarity for the code user.

### **TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS:**

(Government Code Section 11346.2(b)(2) requires an identification of each technical, theoretical, and empirical study, report, or similar document, if any, upon which the agency relies in proposing the regulation(s).)

None.

### **CONSIDERATION OF REASONABLE ALTERNATIVES**

(Government Code Section 11346.2(b)(3)(A) requires a description of reasonable alternatives to the regulation and the agency's reason for rejecting those alternatives. In the case of a regulation that would mandate the use of specific technologies or equipment or prescribe specific action or procedures, the imposition of performance standards shall be considered as an alternative.)

None. There were no alternatives available to HCD. HCD is required by statute to adopt model codes by reference.

### **REASONABLE ALTERNATIVES THE AGENCY HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS**

(Government Code Section 11346.2(b)(3)(B) requires a description of any reasonable alternatives that have been identified or that have otherwise been identified and brought to the attention of the agency that would lessen any adverse impact on small business. Include facts, evidence, documents, testimony, or other evidence upon which the agency relies to support an initial determination that the action will not have a significant adverse impact on business.)

HCD has determined that this regulatory action would have no significant adverse economic impact on California business enterprises and individuals, including the ability of California businesses to compete with businesses in other states.

### **FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS.**

(Government Code Section 11346.2(b)(4) requires the facts, evidence, documents, testimony, or other evidence on which the agency relies to support an initial determination that the action will not have a significant adverse economic impact on business.)

None.

### **DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS**

(Government Code Section 11346.2(b)(5) requires a department, board, or commission within the Environmental Protection Agency, the Resources Agency, or the Office of the State Fire Marshal to describe its efforts, in connection with a proposed rulemaking action, to avoid unnecessary duplication or conflicts with federal regulations contained in the Code of Federal Regulations addressing the same issues. These agencies may adopt regulations different from these federal regulations upon a finding of one or more of the following justifications: (A) The differing state regulations are authorized by law and/or (B) The cost of differing state regulations is justified by the benefit to human health, public safety, public welfare, or the environment. It is not the intent of this paragraph to require the agency to artificially construct alternatives or to justify why it has not identified alternatives.)

These regulations neither duplicate nor conflict with federal regulations.